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The Caledonian Mercury.

Edinburgh, Tuesday, February 22, 1726.

From the Evening Poſt, Feb. 15.

Rome, Febr 2.

IT is expected, that the Chevalier de St. George and the Princeſs his Conſort will ſhortly be reconciled.

Marly, Feb. 14. The Chevalier de Fenelon, Brother of the Ambaſſador of his moſt Chriſtian Majeſty in Holland, having brought hither the Acceſſion of the States General to the Treaty of Hanover, our Court gave extraordinary Demonſtrations of Joy on that Account.

Amſterdam, Feb. 21. They write from Vienna, That the Emperor intends to have his Regiments reſtored to the Compliment they had in Time of War, which will make an Augmentation of 20,000 Men.

Warſaw, Feb. 9. The Congreſs of the Senators and Miniſters, put an End to their Sitting, on the 4th Inſtant, without coming to any material Reſolution, they declared it as their Opinion, that the Affair of Thorn may remain in *ſtatu quo*, till the next Diet, provided the ſame may be done in what concerns the Roman Catholicks in Proteſtant Dominions.

Paris, Feb. 16. Yeſterday the King received the Compliments of the Queen, the Princes of the Blood, on Account of the Anniverſary of his Birth, his Majeſty then entring the 17th Year of his Age.

Dreſden, Jan. 28. The States of this Electorate reſolved to conſent to whatever has been propoſed to them from the King of Poland our Elector, as far as is conſiſtent with the preſent Situation of the Affairs of his Subjects; and as for the augmenting of the Troops propoſed to them, they offered, in caſe of Need, to oblige every Bailiwick, to furniſh their Quota's.

S. S. Stock 109, 7 8ths. Yorkbuildings 13 1 Half.

From the Poſt Boy, Feb. 15.

Hague, Feb. 15. The M. de St. Philippe, Ambaſſador of Spain, has paid Viſits to the principal Members of this Republick, and particularly with the Great Penſionary Hornbeck, and the Baron Van-Lundin. 'Tis remarked, that General Broſs, the K. of Poland's Envoy, makes his Court to the M de St. Philippe with the utmoſt Regularity, and even went to meet him as far as Delft: A plain Proof, how diligently the King his Maſter courts the Friendſhip of the King of Spain. 'Tis remarked, on the other hand, That the Marquis d'Oſſorio, Miniſter of the King of Sardinia, is very reſerv'd and ſparing of his Viſits, both to the Miniſters of the Emperor and Spain, and to thoſe of G. Britain and France.

From the Whitehall Evening Poſt, Feb. 15.

Hague, Feb 15. N. S. The following Paper is handed about here by the Imperial Miniſters; and we hear it has been tranſmitted by the Imperial Court to Baron Kirchner, the Imperial Commiſſary at Ratisbon.

Some Reflections, for a Repreſentation againſt the Treaty of Hanover, or Herenhauſen, made Sept. 3, 1725.

1. This Treaty was made and concluded in the Empire, by Two Electors and Princes of the Empire, with a Foreign Power, againſt his Imperial Majeſty's and the Empire's Peace with Spain.

2. It is contrary, *in materialibus & formalibus*, both in Matter and Form, to the Solemn Oath of Inveſtiture, and the Duty of a Member of the Empire.

3. It is likewiſe contrary the Peace of Weſtphalia, *Art* 8, *Sect* 2; and to the Tenor of the 10th *Art.* of the Capitulation made with the Emperor Joſeph, and 6th of that made with the preſent Emperor, at their Elections. And for the ſame Reaſon, it is contrary to the *Sect. Gaudeant*, &c. And more particularly, for that,

4. In the 2d Article of this Treaty, the Contracters have mutually engaged to give their general Guarrantee to each other, for all Countries and Towns which they have and poſſeſs, as alſo for all Rights, Privileges, and Advantages: By which Means, Juſtice and the Adminiſtration, which is put in the Hands of his Imperial Majeſty, according to the Capitulation at his Election, and the Laws of the Empire, have no further Place or Conſideration with theſe Contracting Parties; and therefore,

all

all and ſingular whoſe Countries and People have been forcibly and unjuſtly ſeized by the aforeſaid two Kings of England and Pruſſia, as Electors and Princes of the Empire, or who ſtill are at Law with them for their rightful Demands, can never more obtain any Right. And therefore with Reſpect to thoſe two Members of the Empire, all Right and Juſtice in the ſaid Empire is wholly deſtroyed, and conſequently they may act and do according to their own Will and Pleaſure with every one, and even with his Imperial Majeſty. With this View it is,

5. Stipulated in the 3d Article of this Treaty, what Aſſiſtance of Men or Money one Ally is to ſend to the other, when any one of them is diſturbed in the preſent Poſſeſſion of all Countries and Rights, whether juſtly or unjuſtly poſſeſſed.

6. As this Article has broke thro' that Bond, which according to the Laws of the Empire, ought to laſt for ever, between his Imperial Majeſty as ſupreme Head of the Empire, and the Members thereof, as likewiſe between the ſaid Members, one with another; and as was ſaid before in the 3d Article, is made contrary to thoſe ſolemn Oaths of Fidelity, which the Kings of England and Pruſſia, as Electors and Princes of the Empire, ſwore openly and with a loud Voice, before the Imperial Throne, and in the Preſence of the All knowing and Almighty God, to his Imperial Majeſty, and to the Holy Roman Empire, at their Inveſtiture.

7. So it is farther ſpecified in the 2d ſeparate Article, That in caſe the Empire ſhould, out of Hatred to the ſaid Treaty, and the Aſſiſtances therein promiſed, declare War againſt France, neither Brandenburg nor Brunſwick would then furniſh to ſuch War the Contingent they ought to ſend to the Empire and the Circle; but would, on the contrary, do every Thing in Conjunction with France, till Peace ſhould be reſtored. Which diſſolves the whole Bond of the Empire, and rejects all Dependence and Obedience with reſpect to his Imperial Majeſty and the Empire.

8. This is not only an actual Separation from the whole Empire, but an Union with thoſe, who in ſuch Caſe are declar'd Enemies of the Empire; both which are manifeſt Contraventions of the Peace of the Country, and of the other Fundamental Laws of the Empire, which have been ſworn to, and which ſubject the Tranſgreſſors to the Penalties therein mentioned.

9. But alſo, in the 3d ſeparate Article, the following Words are contained, among others; *That in caſe, on the Part of the Empire, a Reſolution ſhould be taken* (in Manner as is mentioned in that Article) *to the Prejudice of the Kings of G. Britain and Pruſſia, the Crown of France ſhould openly take their Part, till the Trouble, Injury and Offence ſhould wholly ceaſe.* By this Means, the Recourſe of the joint States to his Imperial Majeſty, and to the Supreme Judicatories of the Empire, is entirely put an end to, with reſpect to the contracting Members of the Empire; and conſequently, all Right and Power of judging: 2, Likewiſe the Peace of the Country is at an end: 3, and the bringing in of Foreign Troops, which is not allowed even to the Emperor himſelf, according to the Capitulation at the Election: On the contrary, 4, Theſe ſaid contracting Powers may, at any Time, according to their own Will and Pleaſure, ſeize by Force the Rights they have, or pretend to have, and ſecure them by Foreign Nations, againſt the Majeſty of the Empire, againſt the Supreme Judge and Lord, and againſt their Fellow-States.

10 In this Manner one may ſee, that a formal, Offenſive and Defenſive Alliance has been concluded againſt his Imperial Majeſty and the Roman Empire; which, as has been ſaid before, is contrary to all the Oaths, and to the Duty of a Member of the Empire; and conſequently cannot paſs without great Diſturbance in the Empire, and likewiſe without the Danger, Damage, and oppreſſing of all the Rights and Juſtice belonging to the States thereof, with their Countries and People: And therefore, to ommit many other Things for the Love of Brevity, nothing remains to be done, or is more adviſable, than to oppoſe it honeſtly, like Patriots, with his Imperial Majeſty, and not to accede to ſuch a Treaty, and to the dangerous and precipitate Views concealed therein, but rather to contribute in Time, all that is poſſible towards maintaining the publick Tranquillity in the Empire, and in all Chriſtendom.

'Tis thought here, that the Princes of the Empire will not much reliſh the Doctrine contained in theſe Reflections, which endeavours to deprive them of their Right of making Defenſive Alliances, ſo ſolemnly eſtabliſhed by the Treaty of Weſtphalia (after ſo many Years Struggle, and ſo great an Expence of Blood and Treaſure in Defence of the Germanick Body) and confirmed by the Capitulation of the late and preſent Emperor. To which this very Paper of Reflections appeals.

Sect 2, *of the 8th Article of the Treaty of Weſtphalia.*

That the Electors, Princes, and States of the Empire, ſhall enjoy, without Contradiction, the Right

Right of Suffrage in all Deliberations concerning the Affairs of the Empire, eſpecially in what relates to the making or interpreting of Laws, the reſolving upon a War, the impoſing of Tribute, the ordering of Levies or Quarters for Soldiers; the Building in the Name of the Publick new Fortreſſes in the Territories of the State, or the reinforcing of ancient Garriſons; and alſo on Occaſion of making Peace or Alliances, and treating of other Affairs; and not any of thoſe or the like Things, ſhall be done or received hence forward, without the Advice and Conſent of a free Aſſembly of all the States of the Empire. *That above all, each of the States of the Empire, ſhall enjoy freely and forever, the Right of making among themſelves, and with Foreigners, Alliances, for their reſpective Preſervation and Security*; provided however, *thoſe Kinds of Alliances, be not againſt the Emperor and Empire, nor againſt the publick Peace, nor principally againſt this Tranſaction, and that without Prejudice, in all Things, to the Oath by which every one is bound to the Emperor and to the Empire.*

The 10th Article of the Capitulation of the Emperor Joſeph.

Neither will we for our ſelves, as elected King of the Romans, make any Confederations or Unions with foreign Nations, or others in the Empire without having firſt obained for that Purpoſe, the Conſent of the Electors, Princes and States; but if the publick Safety and Good ſhould require more Diſpatch, we ſhall then content our ſelves herein, as in all other Affairs which concern the Security of the Empire, to have the Conſent of the ſeven Electors aſſembled in College at a convenient Time and Place, till a General Aſſembly of the Empire can be convened. And when for the future, we ſhall make any Alliances on Account of our own Territories, It ſhall be without Prejudice to the Empire, and agreeable to the Contents of the Treaty of Peace. *For what concerns all the States of the Empire in general, it ſhall be free to all and every one of them, for his Defence, Security, and particular Benfits, to make Alliances among themſelves, or with Foreigners; provided thoſe Alliances be not made to the Prejudice of the Emperor reigning, the publick Tranquillity, the Peace of Munſter, the Oath which they have taken to the Emperor and Empire; and that the Succours which ſhall be drawn from Foreign Powers, be demanded in ſuch Manner, that no Damage may enſue to the Empire.*

The 6th Article of the Capitulation of the preſent Emperor Charles VI.

We will not make either Confederation or Union with Foreigners, either within or out of the Empire, as elected Emperor of the Romans, without having firſt obtained for that Purpoſe in the Diet, the Conſent of the Electors, Princes, and States; but if the publick Safety or Advantage ſhould require greater Diſpatch, in that Caſe as in all others, relating to the Security of the Empire, we will procure, in proper Time and Place, the Conſent of the Electors; and that in a Collegial Aſſembly, not by ſeparate Declarations, till ſuch Time as a Common Aſſembly of the Empire can be had. Moreover, if hence forward we ſhould make any Alliance in the Name of our Hereditary Provinces, it ſhall be without Prejudice to the Empire, according to the Inſtrument of Peace and not otherwiſe. *It ſhall likewiſe be lawful, to all and every the State of the Empire, as often as the Neceſſity, or the Intereſt of their Affairs may require, to make Alliances between themſelves, or with Foreigners; in ſuch Manner however, that they be not contrary to the Emperor of the Romans, the Empire, the publick Peace, and to that of Munſter and Oſnaburg; and without Prejudice to the Oath by which the whole State is bound to the Emperor of the Romans, and to the Holy Roman Empire: And that the Succours required by the Foreign Princes, be not given or lent to them, but ſo far as they may, without Prejudice to the Empire.*

From the Evening Poſt, Febr. 17.

Since our laſt arrived a Mail from France.

Bruſſels, Feb. 14. As the French are augmenting their Garriſons on the Side of Luxemburg, it has been thought proper here, to order the Foot Regiment of Beige to march into that City. The Regiment of Dragoons of Bareith, which is now in Auſtria, is expected in the Country of Limburg, to be at hand for marching either to Luxemburg, or to the Centre of the Auſtrian Netherlands. The raiſing of Troops in this Country for any Foreign Power, without ſpecial Liberty from the Government, is ſeverely forbid. Advice having been ſent to the Court of Vienna, of the Arreſt of Captain Wolf at Dunkirk, Mr. Fonſeca, Imperial Reſident at Paris, is ordered to demand his Enlargement.

Amſterdam, Feb. 11. It appears by Letters from Vienna, that the Emperor is reſolved to cauſe the Religious Grievances in the Empire to be forthwith redreſſed, in order to prevent the Troubles which might otherwiſe be occaſioned.

'Tis alſo with ſome Views, that his Imperial Majeſty is uſing his good Offices at the Court of Poland,

land, for engaging the Republick to give Satisfaction to the Proteſtant Powers concerning the Affair of Thorn, without which, a War ſeems unavoidable.

From the Flying Poſt, Feb. 17.

Madrid, Jan. 22. The 20th being Don Carlos's Birth-day, who then entred into the 11th Year of his Age, it was obſerved, that all the Foreign Miniſters went to Court to compliment their Majeſties and his Highneſs on that Occaſion, except the Miniſters of G. Britain and Holland.

Paris, Feb 22. They write from Madrid, that on the 25th paſt, an Expreſs from Pardo paſs'd thro' that Place, in his Way to the Hague, with a Letter from the King of Spain to the States General, wherein his Cath. Majeſty offers his Mediation for accommodating their Differences with the Emperor concerning the Oſtend Company.

From the Poſt Boy, Feb. 17.

Hague, Feb. 22. N. S. The frequent Conferences, which Count Coningſeck and the Marquis de San Philippo have together, are of little Uſe; for tho' the Marquis has, ſince his Arrival, aſſur'd all the Lords of the Regency with whom he has been in Company, that he was charged by the King his Maſter, to propoſe to the State ſuch real Advantages, with Regard to our Trade with Spain, as would make us ample Amends for any Complaiſance we could ſhew the Emperor in relation to the Oſtend Company; nay, and has moreover told them, by way of Diſcourſe, how this might be done, to wit, by leſſening the Duties of Exportation and Importation in Spain, by permitting the Dutch to trade to the Weſt Indies, and putting them upon the ſame Foot as the Engliſh there, and the like; and tho' he has expreſſed his Deſire to enter into Negociation with their High Mightineſſes thereupon, flattering himſelf, that he could content them even beyond their Expectation; yet there does not appear the leaſt Liklihood of the State's Heſitation to accede to the Treaty of Hanover.

Edinburgh, Feb. 22. The three Malefactors who are to ſuffer Tomorrow and on Friday, for the late barbarous Murder at Haddington, attempted Yeſternight to make their Eſcape, by breaking thro' the Priſon.

¶¶¶ *That, according to Adjournment, the Lands and Baronies of* LOUNAN, ÆTHIE *and* NORTHTARRIE, *are to be expoſed to Roup and Sale* THIS DAY *the Twenty-ſecond of February inſt. at three of the Clock in the Afternoon, in the Houſe of Alexander Stuart Vintner in Edinburgh, either ſeparately or altogether, as ſhall be determined at the Time of the Sale; and whereof the free Rent is as follows, viz. Of the Lands and Barony of* Lounan, 3 *Firlots, one Peck Wheat*; 77 *Bolls*, 1 *Firlot*, 2 *Pecks Bear*; 172 *Bolls Meal*; 633 *L.* 6 *ſh.* 8 *d. Scots of Money Rent*; 24 *Capons*; *beſide* 156 *Poultry, not valued in the Rental. Of the Lands and Barony of* Æthie, 3 *Bolls Wheat*, 86 *Bolls Bear*, 119 *Bolls*, 2 *Firlots Meal*, 519 *L.* 13 *ſh.* 4 *d. Scots of Money Rent*, 9 *Wedders* 21 *Capons*, 78 *Ells of Linen Cloath, beſides* 99 *Poultry, not valued in the Rental, And of the Lands and Barony of* Northtarrie, 172 *Bolls*, 1 *Peck*, 2 *Lippies Bear*, 69 *Bolls*, 2 *Firlots Meal*; 202 *L.* 5 *ſh.* 4 *d. Scots of Money rent*, 16 *Capons*, 9 *Ells of Linen cloth, beſide* 15 *Poultrey, not valued in the Rental. All the ſaids Lands, holding Blanch of the Crown, and lying upon the Seacoaſt, near and about the Burgh of Aberbrothock; and the particular Rentals, Conditions of Sale, and Progreſs of the Writs, are to be ſeen in the Hands of William Mercer Writer in Edinburgh.*

¶¶¶ That the Creditors of George Home of WHITFIELD, are deſired to meet on the firſt Tueſday of March next with him, at the Houſe of Mr. George Henderſon, Merchant, oppoſite to the Croſs, at three o'clock in the Afternoon, in order to concert Affairs, to forward their own Payment.

†¶† That there is to be Lett, Yearly or in Tack, about a Quarter of a Mile South of Edinburgh, on the High Way to Dalkeith, a LODGING, conſiſting of Ten Fire-rooms, with Cloſets and Garrets, Gardens, and a little Park, and other Office-houſes belonging thereto. There are likewiſe leſſer Houſes to be Lett at the ſame Place. All at the Place called PARKSIDE. The Entry is to be at Whitſunday next.

On Thurſday next will be publiſhed,

The Sixth Volume of the Acts of Parliament in 12mo, which completes the Acts of Parliament ſince the Union. Price bound 10 ſh. Sold by William Broun at his Shop in the Parliament-cloſs, and by the other Bookſellers in Edinburgh. Where alſo may be had, the whole Six Volumes, Price bound, 2 l. 18 ſh. N. B. Such as purchaſed the firſt Volume of K. George's Acts of Parliament, which was publiſhed by Mr. Watſon in 1718, may have the other Five Volumes to complete their Sett, Price 2 l. 2 ſh.

[¶] Signior LORENZO BOCCHI has publiſhed an Opera of his own Compoſition by Subſcription, containing 12 Sonata's, or Solo's, for different Inſtruments, viz. 2 Violin, Flute, Violencello, Viola de Gamba, and Scots Cantate; with Inſtrumental Parts after the Italian Manner, the Words by Mr. Ramſay; with a Thorow-baſs for the Harpſichord. Subſcribers may have their Copies at Mr. John Steill's, any Time before the Firſt of March enſuing. Any Perſon that has not ſubſcribed, may likewiſe be furniſhed, there being more Copies caſt off than will ſerve the Subſcribers.

EDINBURGH: Printed for Mr. *William Rolland*, by Mr. *Thomas Ruddiman* Sold at the Printing-houſe in Morocco's Cloſs in the Lawn-market; where Advertiſements and Subſcriptions are taken in, as alſo at the Shop of Mr. Alexander Symmer, Bookſeller in the Parliament-Cloſs.